**UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF RHODE ISLAND**

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| **GEORGE GUINDON er al.,** | : | |
| | : | |
| **Plaintiffs** | : | |
| | : | |
| **VS.** | : | **C.A. NO.: 03-335-L** |
| | : | |
| **AMERICAN FOAM CORPORATION et al.,** | : | |
| | : | |
| **Defendants** | : | |

**MOTION TO DISMISS PLAINTIFF'S ADOPTION OF THE HENAULT COMPLAINT**

Now comes the Plaintiffs in the above entitled matter and respectfully request that this Honorable Court abandon the adoption of the Henault, et al v. American Foam Corp, et al., C.A. No. 03-483L Complaint, as the Plaintiffs have filed a Motion to Adopt the Albert L. Gray, Administrator, et al. vs. Jeffrey Derderian, et al., C.A. No. 04-312-L Complaint in its entirety.

As reasons therefore, after review of the matter, in order to simplify the issues, the plaintiffs have decided to adopt the Albert L. Gray, Administrator, et al. vs. Jeffrey Derderian, et al., C.A. No. 04-312-L complaint in its entirety.

Plaintiffs' in C.A. NO.: 03-335-L
By Their Attorneys,
BRIAN CUNHA & ASSOCIATES

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224

**CERTIFICATION OF SERVICE**

I hereby certify that on the 3rd day of February 2005 a true copy of the within was served electronically pursuant to the Court's Order to the following;

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